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IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH.

W.P.NO. 2375 OF 2001.

PETITIONER.

Shiva Kumar Gada, aged 45 years s/o Shri
Khedu Ram, resident of village Karnod
Tah. Champa Distt. Janjgir Champa, C.G.

VERSUS.

RESPONDENTS.

1. State of Chhattisgarh Through the
Collector Janjgir-Champa.
2. Sub Divisional Officer (Revenue),
Champa.
3. Shri A.K. Bajpai Tahsildar,
Champa.
4. Gram Panchayat KARNOD Through
the Secretary Gram Panchayat,
KARNOD, Tah. Champa,
Distt. Janjgir Champa, C.G.

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA
FOR ISSUANCE OF A WRIT IN THE NATURE OF CERTIORARY, MANDAMUS,
DIRECTION/DIRECTIONS, ORDER/ORDERS.

2378/01
C.D. Sharma
6/11/04

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आदेश पत्रक

W.P.2375/01

मामला क्रमांक

सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	23.11.2001 : Shri M.D.Sharma for the petitioner. Shri Deep Kesharwani for the respondent. The writ petitioner was an elected Sarpanch of Gram Panchayat Karnod. In a no confidence motion moved against him on 17.10.2001 the petitioner was removed from the post of Sarpanch. He made an application before the Collector on 23.10.2001 vide annexure P-4. It is submitted by Mr.Sharma that such an application is to be disposed of within a period of 30 days under section 21 (4) of the M.P.Panchayat Raj Adhiniyam,1993. However,the Collector has not decided the matter till date, and no proceedings as such have been drawn at all. It is also stated that to his information the matter has been referred to the Panchayat Officer. However,there is no such order of reference or endorsement of the said application to the Panchayat officer. Be that as it may,it is incumbent on the appellate authority to exercise its appellate jurisdiction to decide the application submitted before him on merit. In my view it will be fair to direct the appellate authority i.e. Collector,Janjgir Champa,to proceed to decide the appeal filed by the petitioner vide annexure P-4.	

आदेश पत्रक (पुनर्निर्देश)

आदेश का दिनांक आदेश क्रमांक सहित	..2.. आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	It is stated that application for stay was also submitted vide annexure P-5. The same should also be examined by the appellate authority and necessary interim order should be passed. Let the appeal be decided not later than one month from the date of receipt of this order. The petition is accordingly disposed of.	Sd/- Chief Justice